

**CITY OF ORCHARD LAKE VILLAGE**

**MINUTES OF THE REGULAR PLANNING COMMISSION MEETING**

**DECEMBER 2, 2014**

Chair Valvona called the Regular December Meeting of the City of Orchard Lake Village Planning Commission to order at 7:00 p.m. on December 2, 2014 at City Hall, and led the Pledge of Allegiance.

**ROLL CALL**

**PRESENT:** Chair Valvona, Commissioners Bradbury, Sutschek, Magnell, Birrell, Krause, and Pedell.

**ABSENT:** Commissioner Dziuba and Vice Chair Wade

**STAFF:** Director of City Services McCallum and Building Department Clerk Yacoub

**GUESTS:** Mayor Beach and City Planner Doozan

Mayor Beach thanked the Planning Commission for all their hard work servicing the City.

**NOVEMBER 5, 2014 MEETING MINUTES APPROVAL**

Chair Valvona mentioned a minor change on page three of the November 5, 2014 Minutes. The Commission agreed to make the change.

**A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY COMMISSIONER SUTSCHEK TO APPROVE THE NOVEMBER 5, 2014 PLANNING COMMISSION MINUTES WITH MODIFICATION.**

**MOTION CARRIED 7-0**

**AMENDMENT TO ZONING ORDINANCE SECTION 4.40 (WIRELESS COMMUNICATION FACILITIES)**

Commissioner Sutschek mentioned that Class A, B & C in the proposed ordinance amendments need to be identified or remove the classes and make it similar to the State Act.

Commissioner Pedell revised the Ordinance in accordance with the State Statued and reviewed the changes with Commission.

Commissioner Sutschek mentioned that on page 2, under Class B Facilities; Article 15 of the Zoning Ordinance it needs to be changed to Section 15.08. And also on page 3; #3 Class C Facilities.

Commissioner Sutschek also suggested adding approval by the Planning Commission and City Council to 1. Class A Facilities (d) on page 2 of the Ordinance.

Commissioner Sutschek suggested adding definitions to Class A, B & C. City Planner Doozan replied that he will add the definitions on page 2 of the ordinance.

Commissioner Krause asked if the Ordinance can refer to the State Act for definitions. City Planner Doozan commented that it is more useful to add these to the current ordinance.

Chair Valvona mentioned that the previous ordinance required 14 days to determine whether the application is administratively complete, and now it's removed. City Planner Doozan commented that the 14 days should be back on the ordinance and he will make that change.

Commissioner Sutschek mentioned that on page 3, under approval procedures all the steps are listed which are duplicated from section 15.08. Commissioner Sutschek suggested deleting all the steps and refer to section 15.08 to eliminate any confusion. City Planner Doozan replied that he will make the change.

Commissioner Pedell suggested adding the word "Administratively" to #3 Class C Facilities of the approval procedures. The Commission agreed.

Commissioner Magnell mentioned that the security part of the Ordinance needs to be clarified. Commissioner Sutschek suggested removing the agreement with an attorney and keeping the cash, bond and letter of credit for security.

Commissioner Birrell asked how the amount is being determined for the bond. Director of City Services mentioned that City Council sets amounts of bonds and fees by resolution.

Commissioner Sutschek suggested obtaining an estimated amount to demo a wireless facility and then use that amount to determine the security bond. He recommended increasing the bond amount annually with the business license renewal. Director of City Services commented that he will consult the City attorney and report back to the Commission.

Commission approved City Planner Doozan to make all the changes mentioned above.

#### **DISCUSSION ON MINIMUM SETBACK REQUIREMENTS FOR A/C CONDENSER UNITS AND STANDBY GENERATORS, ORDINANCE 4.15 D, 2(B).**

Director of City Services McCallum stated that City Council requested that Planning Commission review the minimum setback requirements for A/C Condenser Units and Standby Generators, Ordinance 4.15 D, 2(B), due to the amount of variance requests that have been requested from the Zoning Board of Appeals.

Chair Valvona mentioned that revising the current ordinance could allow the location of the generator or a/c condenser unit to be within the side yard setback.

Commissioner Pedell suggested changing the word "Shade" to the word "Sheds" on Ordinance 4.15 D, 2(A). Commission agreed.

Commissioner Pedell doesn't believe that the Ordinance needs to be modified and recommended leaving it as is.

Commissioner Sutschek questioned the average number of variances requested. Director of City Services McCallum commented that there has been an average of 5 variances per year to install a generator and they have mainly been in Zones 2 and 3. Commissioner Sutschek stated that is not a high number of variances and he agrees with Commissioner Pedell to leave the current ordinance as is and mentioned that Council can deny the recommendation and ask the Planning Commission for revisions.

**A MOTION WAS OFFERED BY COMMISSIONER BIRRELL AND SECONDED BY COMMISSIONER MAGNELL TO KEEP ORDINANCE 4.15 D, 2(B), MINIMUM SETBACK REQUIREMENTS FOR A/C CONDENSER UNITS AND STANDBY GENERATOR AS IS WITHOUT ANY REVISIONS.**

**MOTION CARRIED 7-0**

**AMENDMENT TO ZONING ORDINANCE, ARTICLE XVII, DESIGN GUIDELINES (EXTERIOR ARCHITECTURAL APPEARANCE).**

Chair Valvona mentioned that the installed window framing for Walgreens appears to be quite dark and the Planning Commission missed this during the Site Plan Review. Chair Valvona suggested adding the color of framing to the Design Standard Ordinance.

Commissioner Magnell mentioned that the Ordinance should require the applicant to submit a sample to the Planning Commission for approval.

Chair Valvona commented that the Commission needs to have a motion to approve City Planner Doozan's revision to the current ordinance and submit it back to the Planning Commission for review.

**A MOTION WAS OFFERED BY COMMISSIONER PEDELL AND SECONDED BY COMMISSIONER BIRRELL TO ALLOW THE CITY PLANNER DOOZAN TO DRAFT NEW LANGUAGE REGARDING FRAMING COLORS TO THE CURRENT ZONING ORDINANCE, ARTICLE XVII, DESIGN STANDARD AND SUBMIT IT BACK TO THE PLANNING COMMISSION FOR REVIEW.**

**MOTION CARRIED 7-0**

The Commission asked if Walgreens can change the current color of the installed framing. Director of City Services McCallum suggested meeting with Larry Campbell, Walgreens' Developer along with Chair Valvona and discussing the possibilities of changing the framing color.

## **OTHER BUSINESS**

Chair Valvona stated that the current fencing requirements located in the General Ordinance should be located in the Zoning Ordinance.

Director of City Services McCallum mentioned that the current ordinance allows the Zoning Board of Appeals to approve the installation of a 10 foot height fence. Director of City Services McCallum suggested changing the language of the ordinance.

The Commission agreed on drafting new language for the Fence Ordinance under the City Zoning Ordinance. Director of City Services McCallum mentioned that he will make the necessary changes and submit it to the Commission for review.

Commissioner Pedell asked about the process of moving the fence requirements to the Zoning Ordinance.

Director of City Services McCallum replied that once the Planning Commission drafts a new ordinance, it will be sent to Council for first and second reading approval, then Council can approve and adopt the new fence requirement under the Zoning Ordinance and rescind the fence requirements in the General Ordinance.

## **ADJOURNMENT**

**THERE BEING NO FURTHER BUSINESS, COMMISSIONER PEDELL MOVED TO ADJOURN THE MEETING AT 9:04 P.M. COMMISSIONER KRAUSE SECONDED THE MOTION.**

**MOTION CARRIED 7-0**

VINCE VALVONA  
CHAIRMAN

RHONDA MCCLELLAN  
CITY CLERK

NY  
12/23/2014